G. R. S. 58

Previous references.

1907.

(~~Legis~~ LB.)

~~(A) Legis~~ File No. ~~49-05~~

Serial Nos. 1

(B) LB. File No. 496-06.

Serial Nos 1 to 2.

Later references.

L. B. 132-08

LB. 37-46 (2 to 3)

GENERAL AND REVENUE SECRETARIAT.

~~(A) Legis File 49-05. Serial No 1.~~

~~(B)~~ LB. File 496 *Serial Nos.* 1 to 2

Part B. for July 1907.

SUBJECT.

Additional rules for the special sanitation of the local area comprised under the K. G. Field Sanitary Circle.

To the Dt. Magte, Kolar. No. 1297/Legis 49-05-1 dt 25.7.07.

calls for the suggestion of rules, if any under the Draft Mines Amendment Regulation.

From the President, Sany. Bd, K. G. F. No. 523 dt 19-12-07.

Submits the draft Bye-laws called for above, and solicits sanction thereto.

To the above officer & Compiler, Mysore Gazette.

No. 317-88 dt 1-7-07

G. R. S. 11] 1906-07

GENERAL AND REVENUE SECRETARIAT.

(~~Legislation~~) Cis

NOTES.

496-06

File No. ~~45~~.

FILE HEADING.

Additional rules for the special sanitation of the local area comprised under the K.G. Field Sanitary Circle.

From

The President, Sanitary Board, K.G. Field.

No. 523 Dated 19/12/05 Received 20/12/05

Diary No. 9775 | Enclos. 2 | Spare Copies. - | Serial No. 2

BRIEF ABSTRACT OF LETTER.

Submits drafts of certain additional Byelaws.

NOTES AND ORDERS.

188(1)

2) This is a reply to this office letter no. J 252 Leg 25/7/05 Calling upon the District Magistrate of Kolar to suggest rules, if any, under the Draft Mines Amendment Regulation and to submit specimen forms of licenses for gold dealers, goldsmiths and hawkers.

NOTES—First sheet.

MGCPB—30,000—17 2-05.

G.R.S. 12]
General and Revenue Secretariat.

Los file no 456-06

Loc File No. ~~45~~ of 190~~6~~ 07

Serial No.

dealing in the K.G. field and also additional rules for the sanitation and sanitary administration in the mining area. As the proposals regarding gold-dealers', goldsmiths and Hawkers' licences are being separately dealt with, the present reference is now submitted for orders. ~~Hawkers~~

2/4/07 1/4/07

3) Please explain why this was not referred earlier. Moss reed more than 15 months ago—

Rec 5/4

Regd 5/4 4) The ~~draft~~ proposal was called for under the draft Amendment Mines Regulation along with draft rules under the same which is still due from the Geological Secretary. The file was under suspense and the reference came to notice only when the proposal regarding the forms of licenses for hawkers and peddlers dealing in K.G. mining area came with which the present reference had mixed up was received. The ~~draft~~ rules under the Mining Regulation has been formed into a separate file and the present reference has been accordingly submitted

G.R.S. 12]
General and Revenue Secretariat.

DS file No. 440 of 06.

Leg. File No. 4 of 1906-07.

Serial No.

for observation. It is usual to submit suspend files for orders only when all the replies are received from the quarters from which they are due.

8/4/07 5/4/07 5/4/07

5) Mines the subject is one for disposal in Bor. IV. Transfer Steel Branch

Bor. IV). 10/4/07

8/4/07

6) In obedience to your order no. J 297 dated 25th July 1905 calling for new rules under sections 36 & 37 of the new mining Regulations, the President of the Sanitary Board of the Kolar gold fields submitted with his letter no. 523 dated 19th Dec 1905 a set of draft bye-laws grouped under 7 headings

(1) Nuisance
(2) Drains
(3) Obstructions (Roads)
(4) Buildings
(5) Offensive & dangerous trades
(6) Burial & Burning grounds
(7) Births & deaths

NOTE—Contn. sheet

GPB—10,000—18-1-07

G. R. S. 12]
General and Revenue Secretariat.

LB File No. 496 of 1906

Serial No.

flag V

7) As authorized in para 4 of Sec (1) & the same para of sec VI of the rules framed for the special sanitation of the Kolar gold fields area, the Sanitary Board have with the approval of Govt framed 10 x bye-laws.

X + R

8) The bye-law now proposed under heading (4) "Buildings" may be included in byelaw no VIII as clause (g) & the byelaws under the other headings have to be given separate numbers as follows

No (I) heading ~~XI~~ Byelaw no XI

(2) XII

(3) XIII

(5) XIV

(6) XV

(7) XVI

9) Draft submitted for approval of the 1st Councillor. Being Council matter. 23/4/07

2803/507

Recd on the 20th inst 17/4/07

10) The draft may be approved 7/5/07

11) 20/5/07 Circulate

12) May be approved - These bye laws

G. R. S. 12]
General and Revenue Secretariat.

GS. File No. 498 of 1906

Serial No.

13) Sharma

21.5.07

Lds Rio No 496-06

Submitted to His Highness.

Z

14 In July 1905 when the revised draft of the Mysore Mines Regulation (which has since been passed into law) was under the consideration of Government, the District Magistrate of Kolar was requested to suggest any changes or additions to the rules then in force under the sections of the Mines Regulation relating to sanitation. The District Magistrate and President of the Sanitary Board, Kolar Gold Fields, has accordingly submitted for sanction, a draft of certain additional Bye-laws which have been approved by the Sanitary Board. The Councillors are of opinion that the bye-laws may be approved.

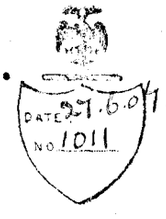
Paper under disposal

15 The bye-laws herewith submitted may be sanctioned.

878

RST-Revenue-486-06

Record of Cases submitted for the Orders of His Highness the Maharaja.



Subject.

Additional Bye-laws for the special sanitation of the area comprised under the Kolar Gold Fields Sanitary circle.

Order.

964 4
5.7.07

16) Sanctioned
KRW
2/7/07

17)
4/7/1907

18) Issue
687
677

G. R. S. 12]
General and Revenue Secretariat.

43 File No. 496 of 1906.

Serial No.	
2	To the President, Kolar Gold Fields Sanitary Board. No 317-18 S 11-7-07. Approves of the original bye-laws for the Special sanitation of the area comprised under the Kolar Gold Fields Sanitary circle and states that bye-law No 4 now proposed may be included in bye-law No VIII as clause (g), the remaining bye-laws being consecutively numbered 11 to 16 as there are 10 bye-laws already in force and forwards a copy of these bye-laws for the President for transmission to the Compiler, Mysore Gazette, for publication in Part II of the Gazette for general information and guidance.

C. 1380. Dis File No 48/06

(6)

GENERAL AND REVENUE SECRETARIAT.

Council matter.

Subject.

Additional Bye-laws for the special sanitation of the area comprised under the Kolar Gold Field Sanitary Circle.

Circulated to Councillors.

By Order,

H. Chandrasekhara
Secretary.

21st May 1907.

T. Ananda Row, Esq, B.A.
First Councillor.

Seen by First Councillor.

4853
21/5/07

K.P. Puttanna Chetty, Esq,.

G.R.S. 15]

Facing sheet for Cases included in the schedule appended to Notification No. 36 of the 8th. Aug. 1902.

LS Nos 4/6-06

(19)

GENERAL AND REVENUE SECRETARIAT.

Subject— Additional Bye-laws for the special sanitation of the area comprised under the Kolar Gold Field Sanitary Circle.

	Date	Initial of Officer himself or responsible Deputy.
Received in the Secretariat		
Submitted to Secretary		
Submitted by Secretary to Dewan or Councillor in charge		
Returned to Secretary		
Circulated by Secretary for Council ...	20-5-07	
Forwarded by 1st Councillor	Seen by Clr.	
Forwarded by 2nd Councillor	21-5-07	
Received in Secretariat	— do —	
Considered in Council	"	
Submitted to the Dewan	21-5-07	
Submitted to His Highness	27.6.07	
Orders passed by His Highness	2.7.07	
Final Orders issued	11.7.07	
Circulated to 15 Councillors	20-7-07	
Passed on by the 4th Councillor	5-8-07	(illegible)
Circulated to the 2nd Clr Returned to Secretary by Councillor...	6-8-07	

GPB—1,000—31-3-06.

G.I. [illegible 26]

Leg Revenue 480-05 File No. 1

1 Serial No.

Diary No. of letter replied to

No. J 292 Sn: 3
Legis 25/7/05

General and Rev. Secretariat
(Legis)
, *the* 25/7/ 1905

To The Dy. Magte, Madura.

Date of issue 25/7/05

Signed by M.L.K.S. Chandrasekhara Ayyar

Sir,

I am directed to forward 2 copies of the draft Rules Depr. as proposed to be added in lieu of the existing Rules III of 1897, and to request that you will be so good as to suggest any new rule that you consider should be framed thereunder.

I am in this connection to invite your attention particularly to the following provisions of the Dry. Depr.:—

Section 8(2) & 10 Forms of Licenses

over.

SUBJECT.

With a copy of the Draft Rules

and fld. mus. this ✗ licences, ~~and~~ & fld. dealer's & fld. mus. this registers.
applications for licences, & forms
the fld. dealer's licence &
fld. dealer's register have been above, it is understood,
furnished by you.)

Section 19. Form & conditions of hawkers' licences.

Section 22. Rules by Govt. to regulate the payment of rewards.

Section 23(2) Rules to provide for the discipline of employés, including those employed by Govt. in the mining area.

Sections 36 & 37. Rules for sanitation & sanitary administration
(necessary additions to the existing rules need alone be indicated)

List of enclosures,

An early reply is requested

Yours &c

24-2-1905

24-2-1905

Copied by

Examined by SN 24/Mar

Revised Draft of the Mysore Mines Regulation.

Revised Draft of the Mysore Mines Regulation.

DRAFT OF A REGULATION *FOR THE PROTECTION OF MINING PROPERTY AND THE PREVENTION OF* THEFT OF MINING MATERIALS, AND TO PROVIDE FOR THE REGULATION AND INSPECTION OF MINES, AND FOR THE SANITATION OF MINES AND THEIR NEIGHBOURHOOD.

Regn. III of 1897, preamble.

Preamble.

WHEREAS it is expedient to make special provision for *protecting mining property and* to prevent the theft of mining materials in Mysore, and to prevent and punish the offence of receiving and disposing of stolen mining materials; and whereas it is further expedient to make provision for preventing danger to human life and safety, and for the sanitation of the mines and their neighbourhood: His Highness the Maharaja of Mysore is pleased to enact as follows:—

Do. Section 1.

Short title.

1. This Regulation may be called "The Mysore Mines Regulation, 190 ."

Local extent and commencement.

It extends to the whole of Mysore, and shall come into operation on the passing thereof.

Repeal.

2. *The Mysore Mines Regulation, 1897, and Regulations I and VI of 1900 are hereby repealed.*

Do Section 2.

Interpretation.

3. In this Regulation, *unless there be something repugnant in the subject or context,*

Mining operation.

"Mining operation" includes—

(*a*) the carrying on of any underground or surface work in connection with the prospecting for, or the mining, winning, dressing, milling and treatment of ores, minerals and mineral products of every description;

(*b*) the erecting, making and using of, and otherwise dealing with, for purposes of such work, any railway, tramway, road, building machinery and other plant; and

(*c*) the manufacture, carriage, storage and use of all explosives, chemicals and other materials to be employed in such work.

Mining Block.

"Mining Block" means any block or area of land in and upon which the right to carry on mining operations is held by a Mining Proprietor under a Mining Lease granted by the Government.

Mine.

"Mine" *means any* place *above or below ground* where any mining operation is carried on, *and includes all such portions of the surface of any mining block whereon the right of entry has been acquired by purchase or otherwise by a Mining Proprietor.*

Mining Proprietor.

"Mining Proprietor" or "Proprietor" means any person or persons or company on whose behalf any mining operations are carried on.

"Mining Superintendent" or "Superintendent" means the person who is the local representative of a Mining Proprietor, and includes an Agent or Manager in charge of any mine on behalf of a Mining Proprietor.

Mining Superintendent.

"Mining material" includes—

(1) *alluvial gold, gold ores,* native gold, precious stones and other rocks and minerals of value;

Mining material.

(2) gold amalgam, sponge gold, *zinc precipitates, slags, concentrates, tailings, residues* and other valuable mineral products of mines in any stage of treatment or extraction; and mercury, potassium cyanide and other chemicals, *apparatus, tools,* and materials used in such treatment and extraction;

(3) dynamite, nitro-glycerine, blasting gelatine, gelatine dynamite, fuse, detonators and other explosives used or intended to be used in mining operations;

(4) *Stearine candles distinguished by the wax being of a light pink colour, and coal;* and

(5) such other materials and things used or intended to be used in mining operations as may be declared by the Government from time to time by notification published in the official Gazette to be mining materials.

"Unwrought gold" includes bar gold, gold bullion and any alloy containing gold in ~~any form~~ whatever which though ~~smelted is not~~ made up into articles of jewellery, vessels or coins.

Unwrought gold.

"Gold dealer" means any person who buys or sells unwrought gold, or receives unwrought gold by way of barter or pledge.

Gold-dealer.

"Goldsmith" means any person who, by profession, melts, refines, or works in unwrought gold or silver or ~~who~~ engages in the melting or manufacture of articles made of gold or silver or of alloys containing gold or silver, and includes a silversmith.

Goldsmith.

"Inspector of Mines" includes any officer to whom all or some of the duties of an Inspector of Mines under this Regulation shall have been delegated, by a general or special order of the Government, so far as the performance of such duties is concerned.

Inspector of Mines.

PROTECTION OF MINING PROPERTY.

Regn. III of 1897, Section 3.

4. (1) *The provisions of sections 5 to 22, inclusive, shall not apply to any local area unless extended thereto by the Government by a notification published in the official Gazette.*

Sections 5 to 22 may be applied to specified areas.

(2) *The Government* may, by a like notification, cancel or modify *any* direction ~~given under~~ *sub-section (1).*

Do *Section 4.*

5. No person shall purchase or take in barter or exchange any mining material belonging to a Mining Proprietor without the written permission of such Mining Proprietor or his Superintendent, nor shall any person, without such written

Mining materials not to be purchased, *conveyed or kept* without written permission.

permission, receive, *convey or keep* any such mining material otherwise than for use for mining purposes on behalf of, *and in such places as may be specially authorised by*, such Mining Proprietor *or his Superintendent.*

Regn. III of 1897, Section 8.

Penalty for unlawful possession of mining materials.

6. Any person found to be in possession of any mining materials without the written permission of a Mining Proprietor or Superintendent, and unable to prove that his possession of the same was obtained in a lawful manner, shall, on conviction before a Magistrate, be liable to *the penalty provided in section 13.*

LICENSING OF GOLD DEALERS AND GOLDSMITHS.

Do Section 5.

Licenses required for *gold dealers and* goldsmiths.

7. It shall not be lawful for any person *to buy or sell unwrought gold or to receive unwrought gold by way of barter or pledge without a gold dealer's license, nor* to carry on the profession of a goldsmith without a *goldsmith's license* as hereinafter provided.

Provided that it shall not be necessary for a Mining Proprietor to take out a goldsmith's license on account of the smelting, refining or other preparation of any gold obtained from his mine by any persons acting on his behalf.

Do Section 6.

Power to grant a license.

8. (*1*) The licenses referred to in section 7 may be issued by a Magistrate of the first class on payment of such fees as the Government may by rule prescribe in that behalf, *and every license shall terminate on the 31st day of December of the year in which it is issued.* (*2*) *Every gold dealer's and every goldsmith's license, and every application for a license, shall, respectively, be in such forms as may be prescribed by Government.*

Do do.

Power to cancel a license.

9. *No license shall be issued to any applicant unless the Magistrate is satisfied that he is a person of good character and reputation, and it shall be in the absolute discretion of the Magistrate to grant or withhold such license as he may think fit. Any license may be cancelled by a First Class Magistrate on the licensee being convicted of any offence ~~or misdemeanour~~ which in the opinion of the Magistrate renders him unfit to hold a license. Provided that any decision under this section* by a Magistrate, other than the District Magistrate, shall be appealable to the District Magistrate, whose order shall be final.

Books to be maintained.

10. (*1*) *Every licensed gold dealer shall keep at his place of business a book (hereinafter called a Gold dealer's Register) in which the receipt or disposal of all unwrought gold shall be immediatetly entered in such form as may be prescribed by Government.*

(*2*) *Every licensed goldsmith shall keep at his place of business a book (hereinafter called a Goldsmith's Register) in which the receipt or disposal of all gold, silver, gold or silver jewellery, unwrought gold or other gold stuff received, treated or disposed of by him shall be immediately entered in such form as may be prescribed by Government.*

(3) *A true copy of all entries in every Gold dealer's Register and in every Goldsmith's Register during each calendar month shall be sent by the licensee to the Superintendent of Police, ~~Kolar Gold Field~~, within seven days of the close of each month, and every such register together with any articles or items of gold referred to therein shall be open to inspection at any time by any police officer not below the rank of Chief Constable, or any police officer specially authorised in this behalf by the Superintendent of Police, Kolar Gold Field, or by a First Class Magistrate; provided that the person making such inspection shall not divulge the result thereof to any person other than a superior officer, or by order of a ~~Criminal~~ Court, under a penalty on conviction not exceeding one hundred rupees.*

Goldsmiths not to deal with gold, etc., until after three days of receipt.

11. *No licensed goldsmith shall smelt, work, use or deal with any of the materials directed to be entered in his Register under section 10 until after the expiry of three clear days from the time when such material is received by him. Provided that this section shall not apply to the repairing of articles of jewellery by a goldsmith in any way which does not change or destroy the identity of such articles.*

~~*Penalty for unlawful possession of unwrought gold.*~~

12. (1) *It shall not be lawful for any person to have in his possession any unwrought gold unless he holds a gold dealer's license or a goldsmith's license or unless he is a Mining Proprietor or duly accredited person acting on behalf of a Mining Proprietor.*

(2) *Any person found in possession of unwrought gold and unable to prove that the same was obtained in a lawful manner shall, on conviction before a Magistrate, be liable to the penalty provided in section 13.*

Regn. III of 1897, Section 9.

Penalty for breach of sections *5, 6, 7, 10, 11* and *12*.

13. Any person committing a ~~breach of any of the~~ provisions of sections *5, 6, 7, 10, 11 ~~and~~ 12* shall, *except in the case mentioned in the proviso to sul-section (3) of section 10*, be liable on conviction to fine not exceeding five hundred rupees, or imprisonment *of either description* for a term which may extend to one year, or both.

Do *Section 10.*

Substitution or addition of whipping in certain cases.

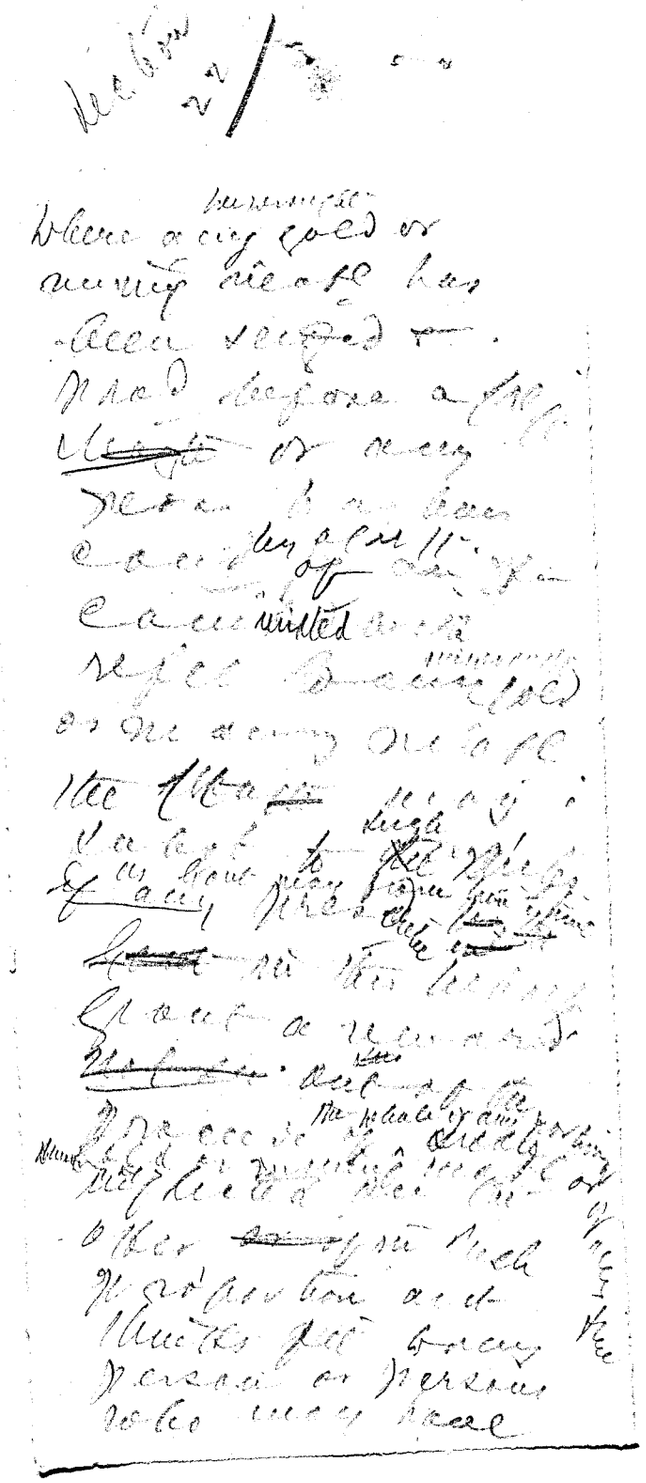
14. It shall be in the discretion of the Magistrate, in the case of any person, not being a female or other person exempted under section 393 of the Code of Criminal Procedure, who shall be convicted *under section 13* ~~of a second breach of any of the provisions~~ of sections *5, 6, 7 and 12* to award whipping under the provisions of *the Mysore Whipping Regulation, 1903*, either in substitution of, or in addition to, the penalty provided *in section 13.*—

POWERS OF SEARCH—LIABILITY FOR ILLEGAL POSSESSION—TRESPASS.

Do *Section 7.*

Power to search.

15. Any police officer, not below the rank of an officer in charge of a Police Station, may search any person or any house, building or place for the discovery of any mining material, *unwrought gold* or other thing with, or in respect of, which an offence under this Regulation is reasonably suspected to have been committed.



Copied by the
Keeper of the Rolls
on behalf of the Commissioners
of Public Records

16. *Any person being the reputed tenant or occupier of any premises, at the time when any unwrought gold or mining material reasonably suspected of being stolen or unlawfully obtained is found thereon and seized by any police officer, shall be deemed to have been in possession of such unwrought gold or mining material within the meaning of section 12 or 6, as the case may be, until he proves the contrary.*

Liability of occupier, etc., of premises in regard to unwrought gold or mining material seized therein.

17. (1) *Any person who is charged before a Magistrate with being on any premises, at the time when any unwrought gold or mining material reasonably suspected of being stolen or unlawfully obtained is found and seized by any police officer, and who is unable to satisfactorily account to the Magistrate for his presence there, shall be liable on conviction to the penalty provided in section 20.*

Liability of person present, when unwrought gold or mining material is seized on premises.

(2) *Any person may be convicted under this section notwithstanding that no charge is laid or conviction obtained against the tenant or occupier or reputed tenant or occupier of the premises under section 16.*

18. *Any unemployed person who shall have been ordered off a mine by an order in writing signed by the Superintendent of the Mine, and who subsequently to such order re-enters upon the mine without the permission of the Superintendent, and any person not employed at any mine and who has been directed by an order in writing signed by the Superintendent of Police to vacate a Government cooly colony, and who subsequently to such order returns to a Government cooly colony without the sanction of the Superintendent of Police, shall be liable on conviction before a Magistrate to the penalty provided in section 20.*

Unemployed persons may be ordered off any mine or cooly colony.

19. *No hawker or pedlar shall carry on his business without a license in writing obtained for that purpose from a Magistrate of the first class. Licenses shall be issued subject to such conditions and the levy of such fees as Government may prescribe. Any person carrying on such business without such license shall be liable on conviction before a Magistrate to the penalty provided in section 20.*

Licenses required for hawkers, etc.

20. *Any person committing a breach of any of the provisions of sections 17, 18 and 19 shall be liable on conviction to fine not exceeding one hundred rupees or imprisonment of either description for a term not exceeding three months, or both.*

Penalty for breach of sections 17, 18 and 19.

21. *All offences under sections 5, 6, 7, 10, 11, 12, 16, 17, 18 and 19 of this Regulation shall be cognizable by the police.*

Cognizability of offences by the Police.

22. *Any Magistrate ordering the confiscation of any gold or mining material may grant a reward not exceeding the sale value of the gold or mining material confiscated, in such proportion as he may think fit to any person or persons, not being a police officer, who may have contributed to the seizure of the gold or mining material or to the conviction of the offender.*

Payment of Rewards.

SAFETY OF PERSONS.

Regn. III of 1897, Section 11.

23. (*1*) All mining operations carried on in Mysore shall be conducted in accordance with such general or special rules for the prevention of danger to human life or safety, and for the reporting and investigation of accidents and other matters connected with such mining operations, as may, from time to time, be prescribed in that behalf by the Government.

Government may frame general or special rules.

(*2*) *The Government may also prescribe rules to provide for the proper discipline of the persons employed in or about the mines or in mining operations, and for the prevention of misconduct on the part of such persons.*

Do *Section 12.*

24. (*1*) Each Mining Proprietor may, either directly or through his Superintendent, prescribe, with the previous sanction of the Government, such further rules, not being inconsistent with this Regulation or the rules issued under the last preceding section, for the conduct and guidance of persons who have the management of his mine, and of those who are employed in or about the said mine, as may be considered necessary to meet the particular circumstances of the said mine, and calculated to prevent accidents likely to cause danger to human life or safety, and to provide for the safety and proper discipline of the persons employed in or about the said mine.

Further rules by *Mining Proprietors.*

(*2*) The Government *may at any time* cancel or vary any sanction granted under this section.

Do *Section 13.*

25. Every Mining Proprietor and his Superintendent shall publish the rules prescribed under sections 23 and 24 of this Regulation in such manner that all persons engaged in or about the mine shall have an opportunity of knowing adequately such rules as may relate to the work they are employed upon.

Publication of rules.

Do *Section 14.*

26. Every person who contravenes, or does not comply with, any rule duly prescribed *under section 23 and 24* shall, for every such offence, be liable to a fine not exceeding one hundred rupees *or, in the case of any contravention of, or non-compliance with, a rule prescribed under sub-section (2) of section 23, to imprisonment for a term which may extend to three months, or to fine which may extend to five hundred rupees, or to both;* and in the case of any contravention of, or non-compliance with, any such rule by any person whatsoever being proved, the Superintendent of the Mine shall be liable to a like penalty, unless he proves that he had taken all reasonable means, by publishing, and to the best of his power enforcing, the said rule in the working of the mine, to prevent such contravention or non-compliance.

Penalty for breach of rules.

Liability of Superintendent.

Regn. III of 1897, Section 15.

27. The Government may appoint an officer to be called the Inspector of Mines, whose duty it shall be to inspect and examine the mines periodically for the purpose of satisfying himself that the provisions of this Regulation and the rules prescribed under sections 23 and 24 thereof are strictly enforced, and for enquiring generally into the mode of carrying on mining operations.

Appointment of Inspector of Mines.

Do *Section 16.*

28. The Inspector of Mines shall have power to do all or any of the following things, namely :—

Powers of Inspector.

(i) to make such examination and inquiry as may be necessary to ascertain whether the provisions of this Regulation and the rules framed thereunder are complied with in the case of any mine ;

(ii) to enter, inspect and examine any mine and every part thereof, at all reasonable times by day and night, but so as not to impede or obstruct unreasonably the working of the mine ;

(iii) to examine into, and make enquiry respecting, the state and condition of any mine or any part thereof, and the ventilation of the mine, and the sufficiency of the special rules for the time being in force in the mine, and all matters and things connected with or relating to the safety of the persons employed in or about the mine ; and

(iv) to exercise such other powers as may be necessary for the due discharge of his duties under this Regulation.

The examination and inquiry referred to in this section may be carried on by any officer to whom the Inspector of Mines may, in accordance with a general or special order of the Government, delegate the same.

Do *Section 17.*

29. Every Mining Proprietor or Superintendent shall furnish the Inspector of Mines, on requisition, with the means necessary for making any entry, inspection, examination or inquiry under this Regulation, and in case of non-compliance with such requisition, shall be liable to a fine not exceeding one hundred rupees.

Mining Proprietor or Superintendent to afford facilities to Inspector.

Do *Section 18.*

30. If the Inspector of Mines finds that in any mining operation the provisions of this Regulation or of the rules thereunder are not duly observed, or that any mine or part thereof or any matter, thing or practice in or connected with such mine, or with the control, management or direction thereof, is dangerous to human life or safety, or defective so as to threaten or tend to the bodily injury of any person, he may give notice in writing to the Mining Proprietor or his Superintendent, stating the particulars in which he considers the provisions of this Regulation or the rules aforesaid are not observed, or the mine or any part thereof or any matter, thing or practice is dangerous or defective, and require the same to be remedied within a specified time.

Notice of defects by Inspector of Mines.

Do *Section 19.*

31. The Inspector of Mines shall forthwith forward to the Magistrate of the District, and to any other Magistrate specially empowered by the Government, a copy

Report to Magistrate and Government.

of every notice under section 30 which requires anything to be done or remedied so as to prevent danger to human life or safety, and he shall also report to such Magistrate as aforesaid the compliance or non-compliance with every such notice as aforesaid.

The Inspector of Mines shall report to the Government every non-compliance with a notice issued under section 30.

Regn. III of 1897, Section 20.

Objection by Mining Proprietor.

32. If the Mining Proprietor or his Superintendent objects to comply with any requisition in a notice under section 30, he may, within ten days after receipt of the notice, send his objection in writing, stating the grounds thereof, to the Government, and thereupon the matter shall be determined by arbitration in the manner provided by this Regulation.

Provided that nothing in this section shall affect the powers of a Magistrate under section 144 of the Code of Criminal Procedure.

Do Section 21.

Rules for Arbitration.

33. Arbitrations under this Regulation shall be conducted in accordance with the following provisions:—

(*a*) Within fourteen days after the lodging of an objection under the last preceding section, the Mining Proprietor or Superintendent, and the Inspector of Mines on behalf of the Government, who shall both be deemed to be parties to the arbitration, shall each nominate an arbitrator.

(*b*) The arbitrators, before entering upon their duties, shall nominate another person as umpire.

(*c*) No person who has no knowledge of mining work shall be an arbitrator, and no person who is not a Justice of the Peace or a District Judge or a Magistrate of the first class shall be an umpire; nor shall any person act as arbitrator or umpire who is employed or interested in the management of the mine to which the arbitration relates. Every objection to the qualification of an arbitrator shall be preferred in writing at the earliest opportunity to the Magistrate of the District, whose decision thereon shall be final:

Provided that no such objection shall be taken after the award has been made.

(*d*) If the arbitrator appointed by either party fails to proceed with the arbitration for seven days consecutively, or if he cannot proceed with it owing to death, sickness or other cause, the other party may, by notice in writing, require the appointment of another person in his place.

(*e*) If the umpire similarly fails to act in the matter of arbitration, either party may call on the arbitrators to appoint another person in his place.

(*f*) If, within seven days after the receipt of a notice under clause (*d*) or (*e*), no new arbitrator or umpire has been appointed, or where the arbitrators do not agree to appoint an umpire, the District Magistrate shall, on the application of any of the parties, appoint a proper person as arbitrator or umpire, as the case may be.

(*g*) The arbitrators or the umpire, as the case may be, may examine the parties and their witnesses on oath; and for this purpose, any Magistrate having local jurisdiction shall, on their requisition in writing, summon the witnesses to appear before them or produce documents in their possession.

(*h*) When both the arbitrators are agreed on the matters referred to them, their decision shall be final; but whenever there is a difference on all or any of such matters, the matters in difference shall be submitted to the umpire, whose decision thereon shall be final.

(*i*) The payment (if any) to be made to an arbitrator or umpire for his services shall be fixed by the Government; and, together with the costs of the arbitration or award (to be taxed as in a proceeding in a civil court), shall be paid by the parties or one of them as the award may direct.

(*j*) Every proceeding held by the arbitrators or umpire under this section shall be deemed to be a judicial proceeding within the meaning of sections 193, 219 and 228 of the Indian Penal Code.

(*k*) The Government may, from time to time, make such additional rules as it may deem necessary for the conduct of arbitrations under this Regulation, but not so as to be inconsistent with any of its provisions.

Regulation III of 1897, Section 22.

Penalty for non-compliance with Inspector's order or award of arbitrators.

34. Any person who intentionally or negligently omits to comply with a notice under section 30, except when an objection has been duly lodged under section 32, or with the terms of an award made under section 33, shall, for every such omission, be liable to a fine not exceeding one thousand rupees; and in case the omission has been intentional, to a further fine not exceeding one hundred rupees for each day the omission continues:

Provided that the Court, if satisfied that the Mining Proprietor or Superintendent has taken active measures for complying with the notice or award, but has not with reasonable diligence been able to complete the works, may adjourn the proceedings taken before it for punishing the offence, and if the works are completed within a reasonable time, no penalty shall be inflicted.

Do *Section 23.*

Imprisonment for offences calculated to endanger the safety of persons.

35. Where any person is guilty of any offence under this Regulation which, in the opinion of the Magistrate who tries the case, is one which was reasonably calculated to endanger the safety of any person or cause serious personal injury to any person or to cause a dangerous accident, and was committed by the personal act, personal default, or personal negligence of the person accused, such person shall be liable, if the Court is of opinion that a pecuniary penalty will not meet the circumstances of the case, to imprisonment *of either description* for a period not exceeding three months.

SANITATION.

Regulation III of 1897, Section 24.

36. (1) The Government may, from time to time, make rules for the special sanitation *and sanitary administration* of any local area within which mining operations may be carried on.

Power of Government to make rules *for sanitation and sanitary administration.*

(2) *In particular, and without prejudice to the generality of the foregoing provision,* such rules may provide—

(i) for regulating the disposal of kitchen and stable refuse, animal refuse of all kinds, and night-soil or other such offensive matter ;

(ii) for conserving and guarding against pollution all sources of water-supply ;

(iii) for preventing overcrowding in bazaars, in cooly lines, and in streets or houses for work-people or others;

(iv) for the proper cleansing of drains, sewers, latrines and urinals;

(v) for regulating the keeping of cattle and other animals, the location of sheds for them, and the fixing or licensing of slaughter-houses ; and authorising the levy of rent or fees for the use of the same or a fee on each animal slaughtered therein at such rates as may be prescribed from time to time ; and

(vi) for the proper and timely treatment of persons affected with cholera or other epidemic disease, and for preventing the spread of such disease by temporarily prohibiting persons affected or suspected to be affected with it from moving to or from particular specified places or travelling on particular specified routes.

(3) The local area for which the rules under this section are made shall be described in a notification published in the official Gazette.

Do *Section 25.*

37. (1) For the purpose of carrying out the rules made under the last preceding section, the Government may appoint any persons, official or non-official *or both*, residing within *or in the vicinity of* such area, to constitute a *Sanitary* Board, and invest such Board with powers for the enforcement of the said rules, and prescribe the mode in which such Board shall conduct its business for carrying out the said rules.

Constitution of a *Sanitary* Board.

(2) The powers with which the Sanitary Board may be invested under this section include—

(a) power to prescribe bye-laws, with the previous sanction of Government, for the special sanitation of the area under its authority and for the conduct of its business ;

(b) power to levy, with the like sanction, such tax, rate or cess within the said area as a Municipal Council would be competent to levy under the law in force relating to Municipalites.

Do *Section 26.*

38. For every breach of a rule *made* under section *36 or of a bye-law made under section 37* the offender shall be liable to a fine not exceeding rupees one hundred.

Punishment for breach of rules *and bye-laws.*

GENERAL.

Regulation III of 1897, Section 28.

Rules requiring returns and delivery of specimens.

39. The Government may frame rules requiring the delivery of periodical returns of work done, workmen employed, the outturn from the mine of minerals and mineral ores, and such other information as the Government may think fit to demand; and for the furnishing of samples of quartz and other rocks and minerals mined or met with in the course thereof, and prescribe a fine not exceeding one hundred rupees for every breach of such rules.

Do *Section 29.*

Abetment of offences under this Regulation.

40. The abetting (within the meaning of the Indian Penal Code) of any offence under this Regulation shall be punishable in the same manner as the offence itself.

Do *Section 31.*

Offences against Regulation and rules by whom cognizable.

41. All offences against this Regulation and all breaches of any rules *or bye-laws* made thereunder shall be cognizable by the District Magistrate or a Magistrate of the first *or second* class.

Do *Section 32.*

Provisions of the Code of Criminal Procedure to apply to searches.

42. The provisions of the Code of Criminal Procedure relating to searches shall, so far as may be, apply to all searches made or instituted under this Regulation.

Do *Section 33.*

Publication of rules *and bye-laws.*

43. All rules *and bye-laws* made under this Regulation shall be published in the official Gazette, and shall thereupon have the force of law.

22/7/15

Dept. B

1791

III Legis
1905–06

From K. P. Puttanna Chetty Esq
President Taluq Board
K. G. M.

To B. K. Venkatavarada Iyengar Esq
Secy: to the Govt. of H. H.
the Maharaja of Mysore

Dated 22nd Nov 05

Despatched 19th } December 05

Received

General No. 523
No.

Enclosure No. 2

Requesting to obtain the
sanction of Govt. for
draft Bye laws, enclosed
of the Board.

Z

05134

18th Dec 1905

From

K. P. Puttanna Chetty Esq
President, San. Board
Kolar Gold Fields

To

B. K. Venkataravarada Iyengar Esq
Secy. to the Govt. of H. H.
the Maharaja of Mysore
Rev & Genl. Depts

Sir,

With reference to your letter no. 7297 Legis. dated 25th July 05, requesting to suggest any changes or additions to the rules now in force on the Sections of the Mines Regulation relating to Sanitation, Section 36-38 inclusive, I have the honor to submit herewith draft of certain additional Bye-laws, necessary in the interest of Sanitation and Public health, and to request, that you will be so good as to get them sanctioned by Government, as early as possible.

2. Copy of Boards resolution, approving the said draft of the proposed additional Bye-laws, is herewith submitted for perusal.

I have the honor to be,

Sir,

Your most obedient Servant

K P Puttanna
for President.
Sanitary Board
Kolar Gold Fields

3. Proceedings of an ordinary meeting of the Sanitary Board Kolar Gold Fields held on 11th December 05.

× × ×

× × ×

Resolution II Drafts of certain additional Bye. laws necessary in the interest of Sanitation and Public health, were read and approved.

Resolved that the Government of H. H. the Maharaja of Mysore be requested to accord them early Sanction.

× × × ×

(Sd) R. B. Plumer
for President
Sani: Board
K. G. F.

Copy"

R. B. Plumer
For President
Sani: Board
19-12-05 K. G. F.

15

Nuisances. Whoever having the care or custody of any child, under 12 years of age, omits to prevent such child, from Committing ~~the~~ nuisance in or by the side of any Public Road or Street shall be deemed to have committed a breach of these Rules.

XI

Drains. (a) No public drain, shall be covered without the written permission of the Sanitary Board.

XII

(b) No person, shall deposit or cause to be deposited, in or by the side of any

Public drain, any substance,
or thing, whereby the
said drain is, or, may be,
in any way obstructed.

No wall, fence, or Obstructions.
other obstruction, shall XIII (a)
be constructed, or encroach=
=ment made, in any
Public Street, without (3)
the written permission
of the Sanitary Board,
nor, shall any door, gate,
bar, or window, be made
so as to open outward
on any Public street
without such permission.

No person, shall chop (b)

firewood, or, do any other work, or, expose articles of any des-cription, such as,

(4) straw, grass, firewood &c for sale in any road so as to cause obstruction.

(c) No washerman, or other person shall spread clothes or any wearing apparel, to dry on any road or any where immediately adjoining a public Road.

Buildings. VIII (g) Whenever the Sanitary Board Consider, that any block of buildings is by reason of the manner in which

such buildings are
crowded together, or for
the want of drainage,
or Ventilation, and, the
impracticability of clearing
attended with risk of
disease to the occupiers
thereof, or, to the inhabitants
of the neighbourhood,
they may cause a notice
to be fixed to some part
of such block requiring
the owners or the occupiers
thereof within a reasonable
time, to be specified in
such notice, to execute
such works, or, to take
such action, as the
Sanitary Board deem

necessary for the prevention of such risk.

Offensive and dangerous trades

1. The owner or occupier

(a) of every place used for

(1) any of the following purposes, or any person to carry on any of the following occupation VIZ. (1) selling old clothes (2) depositing or washing soiled clothes (3) oil milling or pressing, brick making, pottery or lime burning, or storing hides, fish horns, skins from which either offensive or unwholesome smells arise,

(b) 2. The owner of any of the following places VIZ livery or hack stable

(18)

Cattle sheds, or yards
in which 20 sheep
or goats or ten head
of cattle or ten pigs are
kept or allowed to be
together.

3. Every occupier of every (2)
separate place or portion
of any place for the sale
or for the storage of wood,
firewood, thatching materials,
hay, grass, straw or coal,
and every owner or manager
of a bake house or dairy,
shall apply to the President
for a license within the
first month of every offic
year, or, in the case of
a place to be opened

for any such purpose 30 days prior to such opening.

Whoever, without such license or after a license has been refused, cancelled or suspended, uses or permits to be used any place for any of the said purposes, or infringes any of the conditions under which license is granted shall be deemed to have committed a breach of the Rules and shall be liable, in addition to the punishment

(12)

prescribed in section 38 of the Mysore Mines Regulation, to a continual fine, not exceeding Rs. 5/- a day, or every day after conviction during which the offence is continued.

Whoever, carries a corpse or a part of a corpse, through any street, or public place, not decently covered, or while carrying a corpse or part of a corpse leaves the same unattended in, or near any street, or

Burial and Burning grounds.

XV.

Public place for any purpose whatever shall be deemed to have committed a breach of these Rules.

Births & Deaths.

XVI (a) The father, or, mother, of every child born, or, in the case of the death, illness, absence, or, inability, of the father and mother, some person who was present at or in attendance during the child birth, shall within one week next after the day of every such birth give or cause to be given information to the nearest Patel or to any person deputed for this purpose to the

best of his, or her knowledge,
and belief, touching the
birth of such child.

Some one of the persons (b)
present at the death or
in attendance during
the last illness of every
person dying or in the
case of the death, illness,
inability or default of
all such persons the
occupier of the building
or if the occupier be
the person who has
died, some person living
in the building in which
such death has happened,
shall within 24 hours
give information to the
nearest Patel or to any

15-6

person deputed for
the purpose according
to the best of his know-
-ledge and belief touching
the death of such person.

R B Turner

for President
Sanitary Board
Kolar Gold Fields

G.R.S. 28]

File No. 496-6
Serial No. 2

Diary No. of letter replied to

Proceedings of the Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE SECRETARIAT.
(GB)

, *the* 190

Date of issue 11/7/07

Signed by [illegible]

READ— Letter no 523 dated 19th December 1905 from the President of the Sanitary Board of the Kolar Gold Fields submitting with reference to ~~Order thereon, No.~~ Govt order no J 297 Legis dated 25th July 1905 a set of draft bye-laws grouped under the marginally noted seven headings.

(1) Nuisance
(2) Drains
(3) Latrines
(4) Buildings
(5) Offensive & dangerous trades
(6) Burial & Burning grounds
(7) Burths & deaths.

over

SUBJECT

Sanctions certain bye laws of the Sanitary Boards

Order thereon No. 317–18 8/5/07
dB. (488-A)-2 Encl. to Resolution

The bye-laws
referred to are approved.
The Bye-law No 4 now proposed
~~under heading 4~~ may be
included in bye-law no
VIII as clause (g), the
remaining bye-laws being
~~receiving~~ consecutively numbered
~~of hearings~~, ~~Commencing~~
~~from~~ 11 to 16, as there are 10
bye-laws already in force.
A Copy of these bye-laws is
forwarded to the President
Sanitary ~~Board, Kolar~~
Gold Fields for transmission
to the compiler Mysore Gazette
for publication in Part
II of the Gazette, for general
information & guidance.

Bylaws Ack. 8-8-07

dB
7/5/07
for Secretary

S-918-4-07

To The President of the Sanitary Board of the
Kolar Gold Fields.

MM
7/5/07

W. J. Campbell

Draft Bye-laws.

18

Buildings. VIII (g). Whenever the Sanitary Board consider, that any block of buildings is by reason of the manner in which such buildings are crowded together, or, for the want of drainage, or ventilation, and, the impracticability of clearing attended with risk of disease to the occupiers thereof, or, to the inhabitants of the neighbourhood, they may cause a notice to be fixed to some part of such block requiring the owners, or, the occupiers thereof within a reasonable time, to be specified in such notice, to execute such works, or, to take such action as the Sanitary Board deem necessary for the prevention of such risk.

Nuisance. XI. Whoever having the care or custody of any child, under 12 years of age, omits to prevent such child from committing nuisance in or by the side of any Public Road or street, shall be deemed to have committed a breach of these Rules.

Drains. XII. (a) No public drain shall be covered without the written permission of the Sanitary Board.

(b) No person shall deposit or cause to be deposited, in or by the side of any Public drain, any substance, or, thing whereby the said drain is, or, may be, in any way obstructed.

Obstructions. XIII. (a) No wall, fence, or other obstruction, shall be constructed, or, encroachment made,

in any Public street without the written permission of the Sanitary Board, nor, shall any door, gate, bar, or, window, be made so as to open outward on any Public street without such permission.

(b) No person shall chop firewood, or, do any other work, or, expose articles of any description, such as straw, grass, firewood &c., for sale in any road so as to cause obstruction.

(c) No washerman, or, other person shall spread cloths, or, any wearing apparel, to dry on any road or any where immediately adjoining a Public Road.

Offensive and dangerous trades.

XIV.(a) (1). The owner, or occupier of every place, used for any of the following purposes, or, any person to carry on any of the following occupations, viz., (1) selling old clothes, (2) depositing or washing soiled clothes, (3) oil milling or pressing, brick-making, Pottery or lime burning, or strong hides, fish, horns, skins from which either offensive or unwholesome smells arise,

(2) The owner of any of the following places, viz., livery, or, pack stables, cattle sheds, or, yard in which 20 sheep or goats or ten head of cattle, or ten pigs are kept, or, allowed to be together,

(3) Every occupier of every separate place or portion of any place for the sale or for the storage of wood, firewood, thatching materials, hay, grass, straw, or, coal, and every owner or manager of a bake house

or dairy, shall apply to the President for a license within the first month of every official year, or, in the case of a place to be opened for any such purpose 30 days prior to such opening,

(b) Whoever, without such license or after a license has been refused, cancelled, or, suspended, uses, or, permits to be used any place for any of the said purposes, or, infringes any of the conditions under which license is granted shall be deemed to have committed a breach of the Rules and shall be liable in addition to the punishment prescribed in section 36 of the Mysore Mines Regulation, to a continual fine, not exceeding Rs.5 a day, or, every day after conviction during which the offence is continued.

Burial and burning grounds.

XV. Whoever carries a corpse or a part of a corpse, through any street, or, public place, not decently covered, or while carrying a corpse or part of a corpse leaves the same unattended, in, or, near any street or Public place for any purpose whatever shall be deemed to have committed a breach of these Rules.

Births and Deaths.

XVI.(a) The father, or mother of every child born, or, in the case of the death, illness, absence, or, inability of the father and mother, some person who was present at or in attendance during the child birth, shall within one week next, after the day of every such birth give or cause to be given information to the nearest Patel or to any person deputed for this purpose to the best

21

of his, or, her knowledge and belief, touching the birth of such child.

(b) Some one of the persons present at the death or in attendance during the last illness of every person dying or in the case of the death, illness, inability or default of all such persons the occupier of the building or if the occupier be the person who has died, some person living in the building in which such death has happened, shall within 24 hours give information to the nearest Patel or to any person deputed for the purpose according to the best of his knowledge and belief touching the death of such person.

President, Sanitary Board,
Kolar Gold Fields.

DRN 10/7